



Order Filed on February 20, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

801257
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
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856-813-5500
Attorneys for Secured Creditor: THE BANK OF NEW
YORK MELLON FKA THE BANK OF NEW YORK,
AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE
BANK, N.A., AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF THE CWHEQ INC.,
CWHEQ REVOLVING HOME EQUITY LOAN
TRUST, SERIES 2006-H

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

HEICEL G. RODRIGUEZ

Case No: 17-32313 - ABA


Hearing Date: February 28, 2018

Judge: ANDREW B. ALTENBURG, JR.

**CONSENT ORDER RESOLVING DEBTOR'S PROPOSED STRIP
OF SECURED CREDITOR'S LIEN**

The consent order set forth on the following pages, numbered two (2) through three (4)
is hereby **ORDERED**.

DATED: February 20, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

NJID 801257

PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500

Attorneys for THE BANK OF NEW YORK MELLON FKA THE BANK OF
NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE
BANK, N.A., AS TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING
HOME EQUITY LOAN TRUST, SERIES 2006-H

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE:

CASE NO. 17-32313 - ABA

Heicel G. Rodriguez

CHAPTER 13

Debtors

Hearing Date: February 28, 2018

JUDGE: ANDREW B. ALTENBURG, JR.

**CONSENT ORDER RESOLVING DEBTOR'S PROPOSED STRIP
OF SECURED CREDITOR'S LIEN**

With regards to the real property located at 2130 South Union Road, Vineland, NJ 08361 (the "Mortgaged Property"), it is hereby stipulated by and between Phelan Hallinan Diamond & Jones, LLP, counsel for the mortgagee THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H, and Seymour Wasserstrum, Esquire, counsel for the Debtor mortgagor, as follows:

1. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan.

2. The avoidance of THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H's second lien is contingent upon the Debtor's completion of the Chapter 13 plan and the Debtor's receipt of a

Chapter 13 discharge.

3. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the Debtor's Chapter 13 case to any other Chapter under the United States Bankruptcy Code.

4. Each party shall bear their own attorney's fees and costs incurred in the present case.

5. In the event that the Subject Property is destroyed or damaged, pursuant to the Mortgage, BANK OF AMERICA, N.A. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the Mortgage.

6. In the event that any entity, including the holder of the first lien on the Subject Property, forecloses on its security interest and extinguishes Creditor's lien prior to the Debtor's completion of the Chapter 13 Plan, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

7. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge.

The undersigned hereby consent to the form,
Content and entry of the within Order:

PHELAN HALLINAN DIAMOND & JONES, PC

Attorneys for Secured Creditor: THE BANK OF NEW YORK MELLON FKA THE BANK OF
NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS
TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC.,
CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2006-H

Dated: 2/16/18

/s/ Sherri J. Braunstein
Sherri J. Braunstein, Esquire
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 47923
Fax: 856-813-5501
Email: Sherri.Braunstein@phelanhallinan.com

Dated: 2/16/18

/s/ Seymour Wasserstrum
Seymour Wasserstrum, Esquire
Attorney for debtors
205 West Landis Avenue
Vineland, NJ 08360

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Heichel G. Rodriguez
Debtor

Case No. 17-32313-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 22, 2018.

db +Heichel G. Rodriguez, 2130 S. Union Road, Vineland, NJ 08361-7698

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 20, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
James Patrick Shay on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC. ET.AL. james.shay@phelanhallinan.com
Rebecca Ann Solarz on behalf of Creditor BANK OF AMERICA, N.A. rsolarz@kmlawgroup.com
Seymour Wasserstrum on behalf of Debtor Heichel G. Rodriguez mylawyer7@aol.com, ecf@seymourlaw.net
Sherri J. Braunstein on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC. ET.AL. nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7